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Docket No.: A0345.0026  
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:  
Michael G. Orchard et al.

Application No.: 10/586,188

Confirmation No.: @@@

Filed: July 14, 2006

Art Unit: N/A

For: PIPERIDINE DERIVATIVES AS GCS  
INHIBITORS

Examiner: Not Yet Assigned

**INFORMATION DISCLOSURE STATEMENT (IDS)**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Pursuant to CFR 1.56, 1.97 and 1.98, the attention of the Patent and Trademark Office is hereby directed to the references listed on the attached PTO/SB/08. It is respectfully requested that the information be expressly considered during the prosecution of this application, and that the references be made of record therein and appear among the "References Cited" on any patent to issue therefrom.

**Timing of Filing of the Information Disclosure Statement:**

- ☒ This IDS is being filed before the First Office Action<sup>1</sup>.
- ☐ This IDS is being filed after the issuance of the First Office Action but before the issuance of a Final Office Action<sup>2</sup>.

- ☐ This IDS is being filed after the issuance of a Final Office Action, Ex Parte Quayle Action or Notice of Allowance but before the payment of the Final Fee<sup>3</sup>.

**Certifications:**

If checked, the undersigned makes the following statement(s):

- ☐ Statement under 37 CFR § 1.97(e):

Each item of information contained in this information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this information disclosure statement; or

No item of information contained in this information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the undersigned after making reasonable inquiry, no item of information contained in this information disclosure statement was known to any individual designated in § 1.56(c) more than three months prior to the filing of the information disclosure statement.

- ☐ Statement Under 37 C.F.R. § 1.704(d):

Each item of information contained in this information disclosure statement was cited in a communication from a foreign patent office in a counterpart

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<sup>1</sup> The IDS should, where possible, include a certification under 37 C.F.R. §1.97(e).

<sup>2</sup> The IDS *must* include *either* a certification under 37 C.F.R. §1.97(e) *or* the fee set forth in 37 C.F.R. §1.17(p).

<sup>3</sup> The IDS *must* include *both* a certification under 37 C.F.R. §1.97(e) *and* the fee set forth in 37 C.F.R. §1.17(p).

application less than thirty days prior to the filing of this information disclosure statement.

**Fee Required by 37 C.F.R. § 1.97(c)(2) or 1.97(d)(2):**

☐ If checked, the fee of \$180.00 set forth in 37 C.F.R. §1.17(p) is attached.

**Copies of Information:**

In accordance with 37 C.F.R. §1.98(a), the following are enclosed:

☒ A legible copy<sup>4</sup> of each document (or relevant portion thereof) cited in the attached PTO/SB/08, except for U.S. patent and U.S. published applications.

☒ With respect to any information which is not in English, a concise explanation of the relevance, as it is presently understood by the individual designated in § 1.56(c) most knowledgeable about the content of the information, is attached.

This concise explanation is provided by way of:

☐ A translation of the relevant portions of the non-English language information<sup>5</sup>;

☐ A statement explaining the relevant portions of the non-English language information;

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<sup>4</sup> A legible copy of the document is not required if (1) the information was previously cited by, or submitted to, the Office and considered by the Office in a prior U.S. application to which this application claims priority, provided that the prior application is properly identified in this IDS, and (2) the IDS submitted in the earlier application complies with 37 C.F.R. § 1.98(a) – (c). This exception does not apply to information cited in an International Application.

<sup>5</sup> 37 C.F.R. §1.98(a)(3)(ii) *requires* that an English language translation be provided when a translation of the document, or portion thereof, “is within the possession, custody or control of, or is readily available to any individual designated in 37 C.F.R. § 1.56(c).”

☐ A copy [and, where not in the English language, a translation] of at least the relevant portion(s)<sup>6</sup> of the communication from

\_\_\_\_\_ in which the information was cited; or

☒ This information is contained in the specification of the present application.

☐ In accordance with 37 C.F.R. 1.98(d), copies of the cited documents are not enclosed as they were provided in application Serial No. \_\_\_\_\_, filed \_\_\_\_\_, which the present application relies upon for an earlier effective filing date under 35 U.S.C. 120.

**Materiality:**

Whether or not the information and references disclosed in this Information Disclosure Statement is "material" pursuant to 37 CFR 1.56, this submission is not intended to constitute an admission that any patent, publication or other information referred to therein is "prior art" for this invention unless specifically designated as such.

In accordance with 37 CFR 1.97(g), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made or that no other material information as defined in 37 CFR 1.56(a) exists.

It is submitted that the Information Disclosure Statement is in compliance with 37 CFR 1.98 and the Examiner is respectfully requested to consider the listed references.

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<sup>6</sup> The relevant portion is that portion which indicates the degree of relevance found by the foreign patent office. This may be an explanation of which portion of the of the reference is particularly relevant, to which claims it applies, or merely an "X", "Y", or "A" indication on a search report. MPEP §609 III A(3).

In the event the actual fee is inadvertently not enclosed or if any additional fee during the prosecution of this application is not paid, the Patent Office is authorized to charge the underpayment to Deposit Account No. 50-2215.

Dated: January 8, 2007

Respectfully submitted,

By \_\_\_\_\_

Charles E. Miller

Registration No.: 27,576

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PTO/SB/08A/B (09-06)

Approved for use through 03/31/2007. OMB 0651-0031

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<b>Substitute for form 1449/PTO</b>  <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  (Use as many sheets as necessary)				<b>Complete if Known</b>	
				Application Number	10/586,188
				Filing Date	July 14, 2006
				First Named Inventor	Michael G. Orchard
				Art Unit	N/A
				Examiner Name	Not Yet Assigned
Sheet	1	of	2	Attorney Docket Number	A0345.0026

F.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. <sup>1</sup>	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code <sup>2</sup> (if known)			

FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T <sup>6</sup>
		Country Code <sup>3</sup> -Number <sup>4</sup> -Kind Code <sup>5</sup> (if known)				
	BA	WO-92/00277 (w/ English abstract)	01-09-1992	Nippon Shinyaku Co., Ltd.		✓
	BB	EP-0 698 012-B1	01-29-1997	G.D. Searle & Co., Monsanto Company		✓
	BC	WO-2004/007453-A1	01-22-2004	Oxford Glycosciences (UK) Ltd.		
	BD	WO-2004/007454	01-22-2004	Oxford Glycosciences (UK) Ltd.		

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
	CA	ALESSANDRI, G. ET AL., Acta. Oncol. (1997), 36(4), pp. 383-387	
	CB	ALTER, M, Ann. NY Acad. Sc. (1998), 845, pp 391-401	
	CC	LUCCI, A. ET AL., Anticancer Res. (1998), 18(1B), pp. 475-480	
	CD	DE MAN, P. ET AL., APMIS (1990), 98(2), pp. 1053-1060	
	CE	NICHOLSON, KM. ET AL., Br. J. Cancer (1999), 81(3), pp. 423-430	
	CF	CHOO-SMITH, LP. ET AL., Biol. Chem. (1997), 272, pp. 22987-22990	
	CG	HANSSON, GC. ET AL., FEBS Lett. (1984), 170(1), pp. 15-18	
	CH	GEISLER, FH. ET AL., Ann. NY. Acad. Sci. (1998) 845, pp. 374-381	
	CI	ZADOR, IZ. ET AL., J. Clin. Invest. (1993), 91(3), pp. 797-803	
	CJ	ABE, A. ET AL., J. Clin. Invest. (2000), 105(11), pp. 1563-1571	
	CK	MCKALLIP, R. ET AL., J. Immunol. (1999), 163(7), pp. 378-3726	
	CL	SVENSSON, M. ET AL., J. Infect. Dis. (2001), Suppl. 70-73, p. 183	
	CM	CHATTERKEE, S. ET AL., J. Lipid. Res. (1996), 37(6), pp. 1334-1344	
	CN	COX, T. ET AL., Lancet (2000), 355(9214), pp. 1481-1485	
	CO	PROKAZOVA, NV. ET AL., Lipids (1994), 29(1), pp. 1-5	
	CP	MEMON, R.A. ET AL., J. Biol. Chem. (1999), 274(28), pp. 19707-19713	
	CQ	MEMON, R.A. ET AL., J. Lipid. Res., (2001), 42(3), pp. 452-459	
	CR	HANDA, K. ET AL., Methods Enzymol. (2000), 312, pp. 447-458	
Examiner Signature			Date Considered



PTO/SB/08A/B (09-06)

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Sheet	2	of	2	Attorney Docket Number	A0345.0026

	CS	LINGWOOD, CA. ET AL., Methods Enzymol. (2000), 312, pp. 459-473	
	CT	MERZAK, A. ET AL., Mol. Chem. Neuropathol. (1995), 24(2-3), pp. 121-135	
	CU	SIMONS, K. ET AL., Nature (1997), 387(6633), pp. 569-572	
	CV	OVERKLEEF, H.S. ET AL., J. Biol. Chem. (1998), 273, pp. 26522-26527	
	CW	TYLE, P. ET AL., Pharmaceutical Research (1986), 3(6), p. 318	
	CX	GOODMAN, LA. ET AL., Proc. Natl. Acad. Sci. USA (1991), 88(24), pp. 11330-11334	
	CY	CHEN, CS. ET AL., Proc. Natl. Acad. Sci. USA (1998), 95(11), pp. 6373-6378	
	CZ	JEYAKUMAR, M. ET AL., PROC. Natl. Acad. Sci. USA (1999), 96(11), pp. 6388-6393	
	CA1	T.W. GREENE and P.G.M. WUTS, Protective Groups in Organic Chemistry, Wiley Interscience, New York, 2nd edition, 1991.	
	CB2	RYAN, J.L. ET AL., Yale J. Biol. Med. (1985), 58(2), pp. 125-131	
	CC3	SCHNEIDER, JS. ET AL., Ann. NY. Acad. Sci. (1998), 845, pp. 363-373	
	CD4	PLATT, FM. ET AL., Science (1997), 276(5311), pp. 428-431	
	CE5	VAN DER SPOEL, A.C., ET AL., Proc. Natl. Acad. Sci. USA (2002), 99(26), pp. 17173-17178	
	CF6	YANAGISAWA, ET AL., Nat. Med. 91995), 1, pp. 1062-1066	
	CG7	YOHE, H.C., ET AL., Biochim. Biophys. Acta (1985), 818(1), pp. 81-86	
	CH8	YOHE, H.C., ET AL., Immunol. (1986), 137(12), pp. 3921-3927	
	CI9	YOHE, H.C., ET AL., Immunol. (1991), 146(6), pp. 1990-1908	
	CJ1	JIMENEZ-LUCHO V.M et al., Infect. Immun. (1990), 58(7), pp. 2085-2090	
	CK2	LAVIE Y. et al., J. Biol. Chem. (2000), 272(3), pp. 1682-1687	
	CL3	YONG-YU LIU et al., J. Biol. Chem. (2000), 275(10), pp. 7138-7143	
	CM4	LI R. et al., J. Biol. Chem. (2000), 275(44), pp. 34213-34223	

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup>Applicant's unique citation designation number (optional). <sup>2</sup>Applicant is to place a check mark here if English language Translation is attached.

Examiner Signature		Date Considered	
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